

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NEW PRIME, INC., D/B/A PRIME, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-cv-00095
)	
)	District Judge Jeremy C. Daniel
PRIME LOGISTICS CORP.,)	
)	Magistrate Judge Keri L. Holleb
)	Hotaling
Defendant.)	

PLAINTIFF’S MOTION TO FILE UNDER SEAL

In accordance with Local Rule 26.2, Plaintiff New Prime, Inc. d/b/a Prime Inc. (“Prime”) moves the Court for leave to file under seal the Declaration of Eric D. Sidler and its Exhibit A under seal. In support of the motion, Prime states as follows:

1. Pursuant to the Court’s January 26, 2024, Order (Dkt. No. 92), Prime is submitting the Declaration of Eric D. Sidler and its Exhibit A in connection with its award of fees and costs incurred in bringing and pursuing its Motion for Discovery Sanctions.

2. Exhibit A to the Declaration of Eric D. Sidler consists of copies of the monthly invoices sent from Lathrop GPM to Prime for the work performed in connection with reviewing PLC’s supplemental discovery responses served pursuant to the Court’s Order dated September 8, 2023 (Dkt. 59), attempting to resolve ongoing deficiencies in the same through correspondence with PLC’s counsel thereafter, and, upon those efforts failing, preparing for and attending a status conference with the Court on October 12, 2023 regarding these issues, and preparing and filing its Motion for Discovery Sanctions and follow-on briefing.

3. The information sought to be filed under seal contains highly sensitive proprietary timekeeping records of the law firm of Lathrop GPM LLP.

4. The fee and timekeeping documentation is considered sensitive, proprietary, and confidential by Prime and its counsel.

5. Undersigned counsel for Prime requested the consent of Defendant Prime Logistics Corp. ("PLC") via email to PLC's counsel prior to the filing of this Motion. Counsel for PLC indicated that PLC does not consent to this Motion.

WHEREFORE, Plaintiff New Prime Inc. respectfully requests the Court grant this Motion to File Under Seal and allow the filing of the Declaration of Eric D. Sidler and its Exhibit A under seal.

Date: February 12, 2024

Respectfully submitted,

By: /s/ Eric D. Sidler

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on February 12, 2024, a copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system with service upon all counsel of record via the Notice of Electronic filing, pursuant to Local Rule 5.9.

The undersigned further certifies that a copy of the sealed Declaration of Eric D. Sidler and Exhibit A were served by electronic mail on the following:

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/s/ Eric D. Sidler

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Attorney for Plaintiff

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